

Notice of Allowability

Application No.

09/653,598

Applicant(s)

CHAPNIK ET AL.

Examiner

Brian Jelinek

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/2/2005.
2. ☒ The allowed claim(s) is/are 2 and 5-7.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


DAVID L. OMETZ
SUPERVISORY PATENT
EXAMINER

EXAMINER'S COMMENT

This is an examiner's comment in response to the after final amendment to application no. 09/653,598 filed on 8/31/2000 in which claims 2, and 5-7 are allowed.

Drawings

The drawings submitted 9/2/2005 are approved.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Jelinek whose telephone number is (571) 272-7366. The examiner can normally be reached on M-F 9:00 am - 5:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached at (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.



DAVID L. OMETZ
SUPERVISORY PATENT
EXAMINER

Application No. 09/653,598
Amendment dated August 30, 2005
Response to Office Action dated June 3, 2005

*Please enter
89 9/14/2005*

AMENDMENTS TO THE DRAWINGS

Enclosed are two new sheets of Drawings wherein Figs. 2 and 3 have been amended as previously proposed by applicants and approved by the examiner. Specifically, the numeral "36" in Fig. 2 has been changed to --30-- and in Fig. 3 the numeral "40" has been changed to --42--.

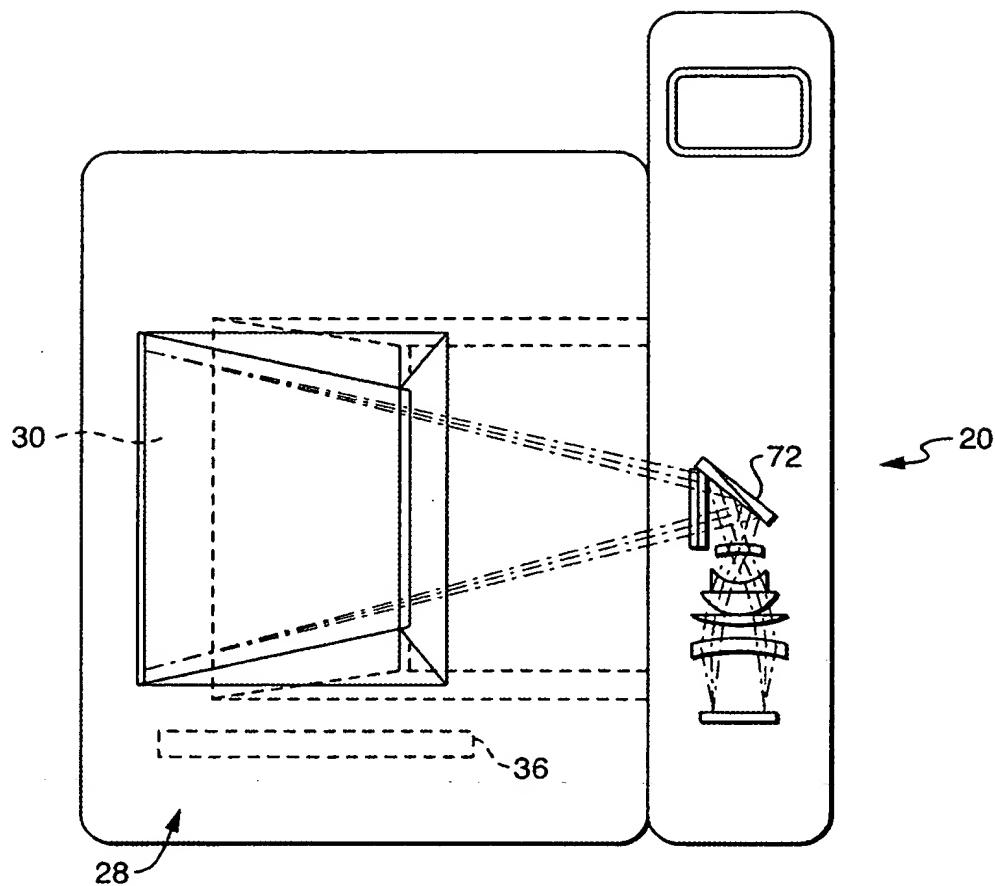


FIG. 1

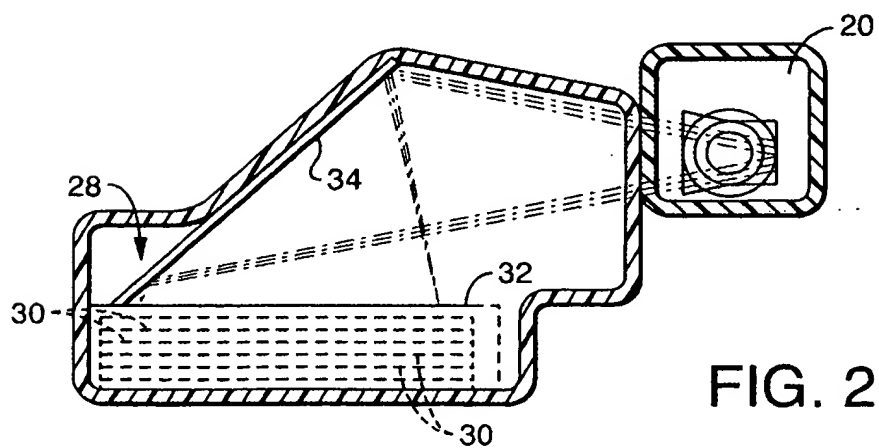


FIG. 2

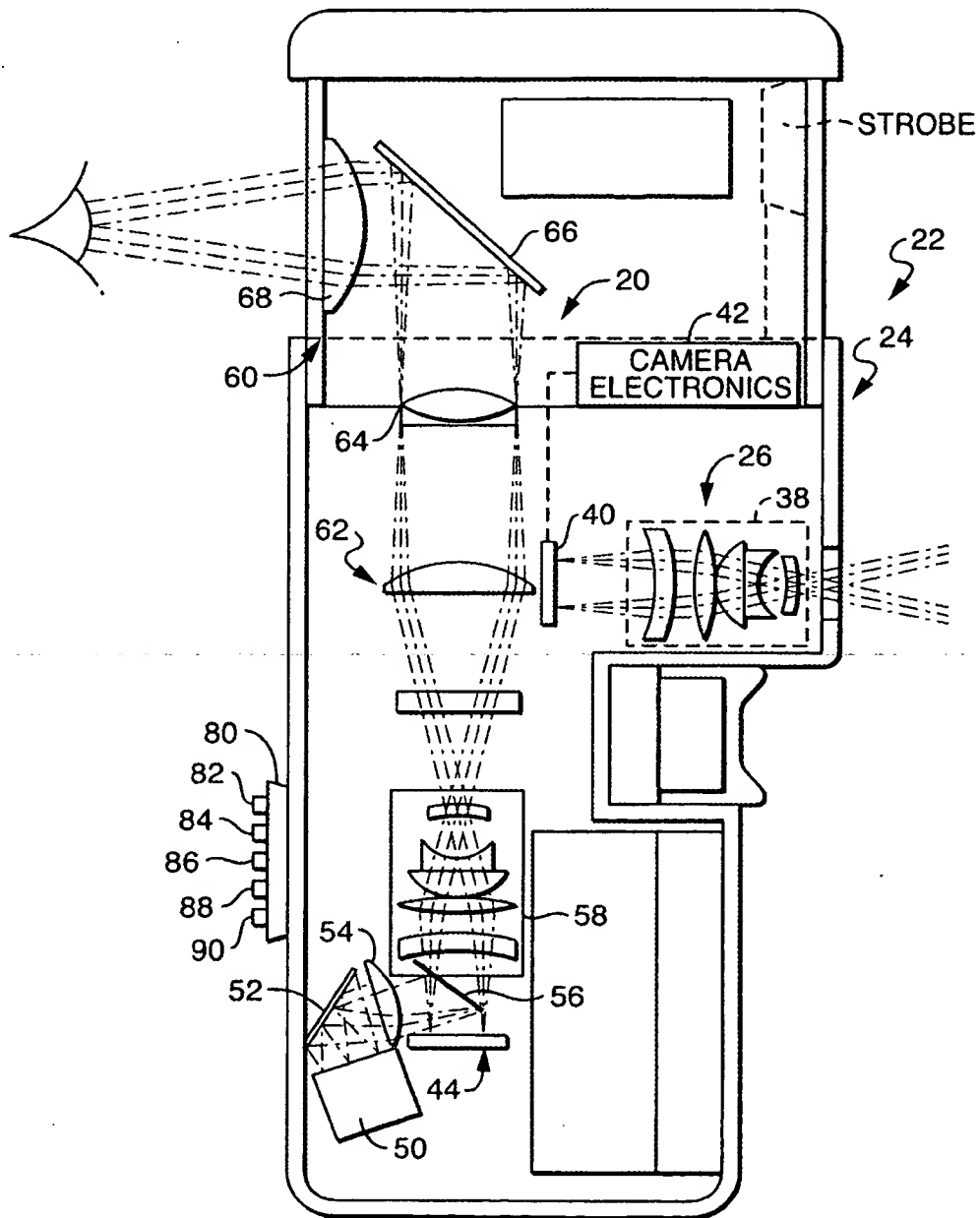


FIG. 3